

# BARNES & THORNBURG LLP

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<i>Customer No.</i>	23643	}	
		}	
<i>Group:</i>	2612	}	
		}	
<i>Confirmation No.:</i>	3354	}	
		}	
<i>Application No.:</i>	10/822,525	}	
		}	
<i>Invention:</i>	ARTICLE LOCATING AND TRACKING APPARATUS AND METHOD	}	<u>ELECTRONICALLY FILED ON:</u>
		}	<u>April 23, 2007</u>
		}	
<i>Inventor:</i>	Timothy D. Wildman, et al.	}	
		}	
<i>Filed:</i>	April 12, 2004	}	
		}	
<i>Attorney</i>		}	
<i>Docket:</i>	7175-202302	}	
		}	
<i>Examiner:</i>	Mullen, Thomas J.	}	

## COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

### Mail Stop Issue Fee

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Allowance of this application is appreciated. The Examiner's Statement of Reasons for Allowance included in the Notice of Allowability mailed March 22, 2007 includes comments regarding why the examiner allowed the claims of this application. However, the examiner's comments appear to be an attempt to paraphrase independent claims 1, 30 and 65. In the attempted paraphrasing of these claims, the examiner includes some words that do not appear in these claims and omits words that do appear in these claim. The scope of independent claims

1, 30 and 65 are determined by the claim language itself, not the examiner's attempted paraphrasing of these claims.

Claim 1 recites “[a] system for tracking a plurality of movable assets in a healthcare environment, the system comprising: a plurality of badges, each badge of the plurality of badges including a transmitter, the badge being adapted to be coupled to an asset, and the badge being configured to transmit an identification signal identifying the badge; and a locating system configured to receive the identification signal from the respective badge and to determine a location of the asset in the healthcare environment including a height associated with the asset based at least in part on the identification signal, the locating system being further configured to determine if the height of the asset is an expected height.”

Claim 30 is an independent claim that recites “[a] system for tracking a plurality of movable assets in a healthcare facility, the system comprising: a plurality of badges, each badge of the plurality of badges including a transmitter, the badge being adapted to be coupled to an asset, and the badge being configured to transmit an identification signal identifying the badge, a first badge being associated with a first movable asset; a locating system configured to receive the identification signal from the first badge and to determine a location of the first movable asset in the healthcare facility based at least in part on the identification signal received from the first badge; and at least one portable device, the portable device including a controller, a display, a memory, an input device, and a transceiver, the portable device being configured to generate a request signal to be received by the locating system requesting the location of the first movable asset in the healthcare facility, to receive a location signal from the locating system indicating the location of the first movable asset and to provide appropriate directions to a first location in the healthcare facility based on the location of the first movable asset.”

Claim 65 is an independent claim that recites “[a] system for tracking a plurality of movable assets in a healthcare facility, the system comprising: a plurality of badges, each badge of the plurality of badges including a transmitter, the badge being adapted to be coupled to an asset, and the badge being configured to transmit an identification signal identifying the badge, a first badge being associated with a first movable asset; a locating system configured to receive the identification signal from the first badge and to determine a location of the first movable asset in the healthcare facility based at least in part on the identification signal received from the first badge; and a virtual facility interface including a display and an input device,

wherein the virtual facility interface presents a virtual facility including a map of the facility and representations of various assets each having a badge associated therewith, the representations being positioned within the virtual facility based on the location information determined by the locating system for each asset, at least the first asset including multiple representations including a first representation corresponding to a first status and a second representation corresponding to a second status.”

Applicant submits that the claims are allowable because of the combinations recited in the independent claims. No fees are believed to be due in connection with this paper. However, it is respectfully requested that, if any fees are due, such fees be charged, or any overpayment in fees credited, to the Account of Barnes & Thornburg, Deposit Account No. 10-0435 with reference to file 7175-202302.

Respectfully submitted,

BARNES & THORNBURG LLP

A handwritten signature in black ink, appearing to read "Ronald S. Henderson".

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